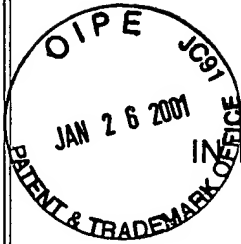


1715 GP 1700



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Martin C. FLAUTT et al.

United States Patent Application

Serial No. 09/409,457

Filed: September 30, 1999

(CIP of Serial No. 09/190,866  
filed November 13, 1998)

Title: SUPERABSORBENT WATER-RESISTANT  
COATINGS FOR FIBER-REINFORCED  
ARTICLES

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

RECEIVED

JAN 29 2001

TC 1700

Group Art Unit: 1700

Examiner: Vask Jagannathan

RECEIVED  
JAN 30 2001  
TC 1700 MAIL ROOM

PROTEST PURSUANT TO 37 C.F.R. § 1.291

Flautt et al. PCT Application WO 00/29486 (attached) identifies U. S. patent application Serial No. 09/190,866 filed November 13, 1998 as the priority application. Subsequent inquiry shows the applicants filed a Continuation-in Part (CIP) application as identified above, that claim the benefit of Application No. 09/190,866.

The claims of the PCT application describe an article having a coating composition on it which is a superabsorbent water-soluble polymer precursor in aqueous solution (Claim 1), which may also contain a lubricant (Claim 5).

This protest calls to the attention of the Supervisory Primary Examiner, PCT application WO 96/48049 published on December 19, 1996 (attached) which describes polymerizing monomers utilized in manufacturing superabsorbent polymers (with or without cross-linking agents) and one or more solid and/or liquid lubricants and lubricant

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

additives into solid matrices so that the resulting composition has lubricant components structurally integrated throughout the superabsorbent polymer network. This reference goes on to describe applying this combination to the surface of an article of manufacture. WO 96/40849 anticipates or makes any claimed subject matter in the Flautt et al. application obvious, which relates to polymerizing superabsorbent polymer precursors in combination with lubricants.

Flautt et al. also describe a coating formed on the surface of a reinforcing article where the coating is a superabsorbent water-soluble polymer (Claim 8) which can also contain a lubricant (Claim 11). Flautt et al. also disclose that the coatings described have the property of substantially, and instantaneously absorbing water when exposed to aqueous environments. (Flautt et al., p. 5, lines 7-9.) WO 96/40849 discloses a lubricant composition comprising a superabsorbent polymer combined with a material for decreasing friction between moving surfaces, and goes on to describe the presence of one or more superabsorbent polymers in a solid or liquid lubricating system or device that can act as a moisture scavenger to protect certain parts from the affects of water or water migration. (WO 96/40849, paragraph bridging pages 28 and 29). This disclosure in WO 96/40849 anticipates or makes any claimed subject matter in the Flautt et al.

LAW OFFICES

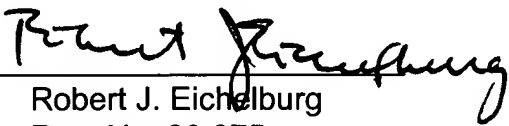
FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

application relating to these coatings obvious, especially where they relate to absorbing water.

If filing this protest requires payment of a fee, not accounted for above, the undersigned attorneys request payment of any fee due by charging the same to their deposit account 06-0196.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARETT & DUNNER, L.L.P.

By:   
Robert J. Eichelburg  
Reg. No. 23,075

Dated: January 26, 2001

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

Certificate of Service Pursuant to 37 C.F.R. § 1.248



The undersigned attorney certifies he served a copy of this Protest

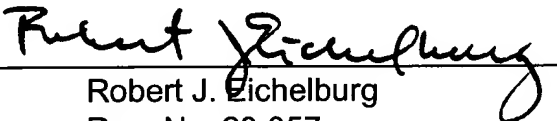
Pursuant 37 C.F.R. § 1.291 and attachments thereto on Inger H. Eckert, agent or attorney for Martin C. Flautt, James R. Priest, David V. Stotler, and Thomas P. Hager, by mailing a copy of the same by first class mail on January, 26, 2001 to:

Inger H. Eckert  
Owens Corning Science & Technology Center  
2790 Columbus Road  
Building 54-1  
Granville, OH 43023-1200

RECEIVED

JAN 29 2001

TC 1700

  
Robert J. Zichelburg  
Reg. No. 23,057

RECEIVED  
JAN 30 2001  
TC 1700 MAIL ROOM

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000